IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 10630 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

KIRANBHAI SOMABHAI RAWAT

Versus

DISTRICT PANCHAYAT DAHOD

Appearance:

MR MA KHARADI for Petitioner

None present for Respondents

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 26/07/2000

ORAL JUDGEMENT

Heard learned counsel for the petitioner.

It is not in dispute that no confidence motion has been passed against the petitioner by majority on 17.11.1998. Once the non-confidence motion is passed by majority then

any affidavit of the members who cast votes against the petitioner of supporting the petitioner has no value. On such subsequent conduct of those members of the Panchayat who earlier cast vote against the petitioner in he meeting called for considering of no confidence motion and the resolution of no confidence motion passed by majority cannot be recalled or reviewed. This petition, in fact, wholly misconceived and the same is dismissed. Rule is discharged. Interim relief, if any, granted stands vacated. No order as to costs.

(S.K.Keshote, J.)
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